

REMARKS

The Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards the invention. The Examiner rejected claims 1,2 and 5 under 35 U.S.C. § 102(b) as being anticipated by De Pascal, et al. The Examiner identified claims 10-19 as being allowed. The Examiner objected to claims 3-4 and 6-9 as being dependent upon a rejected base claim, but being allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In response, the Applicant has amended the claims to address the Examiner's rejections and objections. The Applicant has also amended the Specification. The Applicant believes the amendments made in response to the Examiner's rejections and objections have placed the application in position for allowance.

Section 112 Rejection

The Applicant has amended claim one to correctly identify the "lumbar roller assembly" as the "lumbar thrust assembly", which has a proper antecedent basis. Various other claims and the Summary section of the Specification were also amended to correct this same misidentification.

Specification

The Applicant is amending the paragraph beginning on page 9, line 14 to replace to uses of “lumbar roller assembly” with the proper “lumbar thrust assembly”, which use occurred at lines 9 and 11.

Claims

With regard to the claims, Applicant is amending claims 1, 7, 8, 9, 10, 14, 15, 16, 19 and 18, and cancelling claim 6 to address the Examiner’s objections. In addition, Applicant is adding new claims 20 and 21 to incorporate the limitations of certain objected to claims. The specific amendments to the various claims are set forth in more detail below.

As for claim 1, the Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph and under 35 U.S.C. § 102(b). As to the Section 112 rejection, Applicant has amended the claim to replace “lumbar roller assembly” with “lumbar thrust assembly”. With regard to the Section 102(b) rejection, the Examiner identified claim 6, which was originally dependent on claim 1, as being allowable if rewritten in independent form, including all limitations of the base claim (claim 1) and any intervening claim (none). Applicant has amended claim 1 to incorporate the limitations of claim 6, thereby placing claim 6 in independent form. Based on the Examiner’s objection, claim 1 is now believed to be allowable.

As for claims 7, 8, 9, 10, 14, 15, 16, 19 and 18, these claims are being amended to replace “lumbar roller assembly” with “lumbar thrust assembly”. The term

"lumbar thrust assembly" is used throughout the Detailed Description and is identified in the figures as numeral 40.

As for new claims 20 and 21, new claim 20 is original claim 8 rewritten in independent form and new claim 21 is original claim 9 rewritten to depend from claim 20 instead of claim 8. The Examiner identified claim 8 as being dependent upon a rejected base claim (claim 1), but being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (none).

A total of three (3) independent claims and nineteen (19) claims were included in the original application. One (1) claim was cancelled and two (2) new claims were added, including one (1) independent claim (i.e., claim 20). Therefore, after this amendment, there will be four (4) independent claims and twenty (20) total claims. As a result, an additional fee of \$100.00 is believed due, and included herewith, for one (1) additional independent claim.

In view of the foregoing, it is submitted that this application is in condition for allowance. Reconsideration of the rejections and objections in light of this Amendment is requested. Allowance of claims 1-5 and 7-21 is solicited.

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Respectfully Submitted,

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